

Center for Judicial Accountability

From: Center for Judicial Accountability <elena@judgewidth.org>
Sent: Wednesday, June 25, 2014 3:04 PM
To: Michael McDermott (msmwizard@aol.com); carlpers2@gmail.com; John Clifton (mrjclifton@yahoo.com); Chris Edes (chrisedes@dynamic-mail.net)
Cc: Chris Garvey (ChrisGarvey1@Verizon.net); 'chair@sclp.li'; markaxinn@hotmail.com; 'garyonthenet@gmail.com'; 'bowmancomputers@aol.com'; 'mfmelisa@outlook.com'; 'rschvon@votemcdermott.org'
Subject: July 4th Fireworks: Launching the Libertarian's Winning Strategy for 2014!

Dear Libertarian Party Candidates,

Valuable time is passing – and still there has been NO REVIEW by the Libertarian Party of the [open-&-shut, prima facie, evidence](#) that can easily WIN for the Libertarian Party the 50,000 votes it needs to secure a ballot line – indeed, to WIN the 2014 electoral races for Governor/Lt. Governor, Attorney General, Comptroller – and the important state legislative races, including the 5th State Senate District seat occupied by Senator Carl Marcellino, being contested by Libertarian Party candidate Gigi Bowman.

What are you waiting for? [A “who’s who” of New York incumbents CANNOT BE RE-ELECTED because they must be INDICTED FOR CORRUPTION](#) – and that is what the evidence establishes

On March 28th, this evidence – to which my below e-mails alerted the Libertarian Party in January – became the subject of a citizen-taxpayer action brought by our non-partisan, non-profit citizens’ organization, Center for Judicial Accountability, Inc., on behalf of the People of the State of New York & the Public Interest. The defendants are Governor Cuomo, Attorney General Schneiderman, Comptroller DiNapoli, Temporary Senate President Skelos, Assembly Speaker Silver, and the Legislature – and the verified complaint chronicles their “grand larceny of the public fisc” with respect to the Legislative and Judiciary budgets for this fiscal year– budgets representing [over \\$3 billion in taxpayer monies, used to perpetuate corruption in all three of our government branches.](#)

I spoke about this far-reaching, politically-explosive lawsuit at the May 27th Suffolk County Libertarian Party meeting, identifying that Attorney General Schneiderman, representing himself and all other defendants, had made a fraudulent dismissal motion, because he had [no](#) legitimate defense – and that we had cross-moved for sanctions and summary judgment. I stated that the lawsuit record is a [perfect paper trail](#) of public corruption that would bring New York’s most powerful state incumbents running for re-election – if the Court adheres to [fundamental](#) adjudicative standards. I pleaded for the Libertarian Party to review the record – which it could easily do because, as I stated, it is posted on the Center for Judicial Accountability’s website, www.judgewidth.org, accessible *via* the homepage link: “CJA Lead the Way to NYS Budget Reform by a Citizen-Taxpayer Action”. To start the process rolling, I brought the verified complaint to the May 27th meeting so that Libertarian Party attorney general candidate Carl Person – who is a Harvard Law School graduate and seasoned litigator – could more easily review it. Carl took it at the [express](#) request of Libertarian Party gubernatorial candidate Mike McDermott, who had invited me to the meeting precisely because he recognized the importance of what I had explained to him about the lawsuit, when I spoke with him earlier that day by phone.

Having heard nothing from Carl or anyone else since May 27th – notwithstanding the lawsuit record can be adequately reviewed in a matter of hours – I telephoned Carl’s office (212-307-4444). I told him that the posture of the case is now even more dispositive of Attorney General Schneiderman’s litigation fraud and of the People’s entitlement to summary judgment, as he could readily verify from the Attorney General’s opposition to our cross-motion and from our reply papers, posted on our lawsuit webpage: <http://www.judgewidth.org/web-pages/searching-nys/budget-2014-2015/lawsuit-citizen-taxpayer%20action.htm>. My impression was that Carl had neither reviewed the verified complaint – nor the webpage.

Next week is the 4th of July – and a good time for the Libertarian Party to start its “fireworks” about the electoral significance of the case by a press statement, press conference, kicking off a campaign to strategy to secure official investigation and prosecution of the corrupt incumbents who will otherwise be re-elected. These corrupt incumbents would all have long ago been indicted, *via* the Commission to Investigate Public Corruption, had the Commission not been a tool of Governor Cuomo and Attorney General Schneiderman. The Libertarian Party should also be exposing this – and here, too, there is a “paper trail” of evidence, laid out not only by the March 28th verified complaint in our citizen-taxpayer action, but by the April 23rd intervention motion I made, on behalf of the People of the State of New York & the Public Interest, in the Legislature’s declaratory judgment action against the Commission. Here’s the direct link to it: <http://www.judgewatch.org/web-pages/searching-nys/commission-to-investigate-public-corruption/holding-to-account/intervention-declaratory-judgment.htm>.

What more does the Libertarian Party need to move forward with this – and to demonstrate that it is a real third party, not just an illusion of one.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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From: Center for Judicial Accountability [mailto:elena@judgewatch.org]

Sent: Monday, January 27, 2014 5:15 PM

To: 'mark axinn'

Cc: 'Gary Treistman'

Subject: Thank you -- RE: Again, FOLLOW-UP: Making EVERY Legislative Race Competitive in the 2014 Elections-- in addition to the races for Governor, Attorney General, & Comptroller

Dear Mark,

Of course I will plan to attend the Libertarian Party Convention in April, but the spadework needs to be done NOW if the Libertarian Party is to be able to nominate, at that convention, SOLID candidates for the BIG statewide offices, as likewise for the 213 Senate/Assembly seats.

As Chair of the NYS Libertarian Party – and a lawyer to boot – please spend an hour or so to read the December 11th and December 30th letters to Governor Cuomo pertaining to the fraudulence and unconstitutionality of the judiciary and legislative budgets for fiscal year 2014-2015 and to peruse the underlying evidence. Indeed, it will not even take you an hour to realize their explosive political potential and that your duty, as NYS Libertarian Party Chair, is to appoint &/or solicit fellow officers of the Libertarian Party & or active Libertarian members to a review committee to more thoroughly examine and report on them and the underlying proof, which is open-and-shut, *prima facie*. How about, for example, convening a review committee that includes past Libertarian candidates for governor, attorney general, and comptroller, who garnered thousands of votes? In 2010, Libertarian gubernatorial candidate, Warren Redlich, garnered 48,386 votes, Libertarian attorney general candidate Carl Person, garnered 36,547 votes, and Libertarian comptroller candidate, John Gaetani, garnered 27,485 votes. Certainly, too, any candidate that the Libertarian Party is considering for those statewide offices for this election year should be part of the review committee now.

A strategy needs to be developed, including press conferences calling for investigation of the fully-documented corruption complaints against the Governor, Attorney General, Comptroller, etc. that the Commission to Investigate Public Corruption and so many other investigative/prosecutorial authorities have been sitting on, issuing statewide alerts, blogging, etc. What you have before you – and what a Libertarian review committee would confirm -- is a game-

changing political scandal that reaches from the highest statewide constitutional officers in the executive branch to all 213 legislative constitutional officers. The Libertarian Party has a VOICE – and needs to use it to throw open the 2014 NYS elections.

To that end, I will help you & other Libertarians, to the fullest.

Thank you.

Elena
914-455-4373

From: mark axinn [<mailto:markaxinn@hotmail.com>]
Sent: Monday, January 27, 2014 12:44 PM
To: Center for Judicial Accountability
Cc: Gary Treistman
Subject: RE: Again, FOLLOW-UP: Making EVERY Legislative Race Competitive in the 2014 Elections-- in addition to the races for Governor, Attorney General, & Comptroller

Thanks Elena.

I apologize that I have not had a chance to review your material. Actually, I am extremely busy all the time, which is why I am fortunate to have so many others to help me out.

As you have been communicating with Gary Treistman directly as well, I recommend that you continue to do so and also consider coming to the New York State Libertarian Party Convention in Albany on April 26.

Thanks,
Mark
markaxinn@hotmail.com

From: elena@judgewatch.org
To: markaxinn@hotmail.com
CC: garyonthenet@gmail.com

Subject: Again, FOLLOW-UP: Making EVERY Legislative Race Competitive in the 2014 Elections-- in addition to the races for Governor, Attorney General, & Comptroller
Date: Sun, 26 Jan 2014 13:35:12 -0500

Dear Mark,

I haven't received any response from you to my below January 23rd e-mail. As it is Sunday, & presumably you have more time than during the weekdays, kindly review it & my subsequent correspondence with the Conservative & Republican Parties, Paladino & Astorino, and journalists/commentators Rich Lowry and Peggy Noonan, posted on our webpage for defeating corrupt incumbents in the 2014 elections: <http://www.judgewatch.org/web-pages/elections/2014-elections.htm>. We have no time to waste! We can make every statewide and legislative office competitive this election year!

Feel free to call me with any questions you have.

Thank you.

Elena
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elena@judgwatch.org

From: Center for Judicial Accountability [<mailto:elena@judgwatch.org>]
Sent: Thursday, January 23, 2014 9:30 AM
To: markaxinn@hotmail.com
Cc: Gary Treistman (garyonthenet@gmail.com)

Subject: FOLLOW-UP: Making EVERY Legislative Race Competitive in the 2014 Elections-- in addition to the races for Governor, Attorney General, & Comptroller

Dear Mark,

The Libertarian Party website is really excellent – and I have posted a link to it on our webpage “...NYS BUDGET REFORM -- & COMPETITIVE NYS ELECTIONS TO DEFEAT CORRUPT INCUMBENTS”:
<http://www.judgwatch.org/web-pages/elections/2014-elections.htm>.

As I see that the Libertarian website posts e-mail addresses for officers, chapter representatives, temporary chairs, etc., I would be happy to forward my below e-mail to them, directly, -- unless you prefer to do so yourself. Needless to say, I would prefer that you forward the e-mail – and accompany it with a recommendation that a steering committee be immediately formed to review the referred-to December 11th and December 30th letters – and substantiating evidentiary proof (beginning with Article VII, Sec. 1 & Sec. 7 of the NYS Constitution) – and report back.

Time is of the essence. The fraud and unconstitutionality that is now unfolding with respect to the legislative and judiciary appropriations in the state budget is an EASY issue on which to make every legislative race competitive – and, of course, the big statewide races, beginning with the Governor.

Thank you.

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From: Center for Judicial Accountability [<mailto:elena@judgwatch.org>]
Sent: Wednesday, January 22, 2014 11:11 AM
To: cryan@nygop.org; markaxinn@hotmail.com; Gary Treistman (garyonthenet@gmail.com); caputo@caputopr.com; lpatton@trumporg.com

Subject: Changing the Face of the 2014 Elections: Governor Cuomo’s Larceny of Taxpayer Monies by his Yesterday’s Budget

The below e-mail was sent to the press earlier this morning. Please forward to ALL your press contacts -- AND to political clubs and chapters so that they can field candidates to oust corrupt incumbents!

Changing the Face of the 2014 Elections: Governor Cuomo’s Larceny of Taxpayer Monies by his Yesterday’s Budget

Governor Cuomo's budget for fiscal year 2014-2015, released yesterday, is a criminal act. It authorizes the theft of huge sums of taxpayer money for Judiciary and Legislative appropriations that the Governor knows to be fraudulent and unconstitutional.

Indeed, the Governor's knowledge is not in doubt. Our nonpartisan, nonprofit citizens' organization, Center for Judicial Accountability, Inc. (CJA), sent two letters to the Governor, dated December 11, 2013 and December 30, 2013, particularizing the fraudulence and unconstitutionality of the Judiciary and Legislative budget requests – and calling upon him to protect the public purse. We also furnished copies to his budget director, Robert Megna.

The December 11, 2013 letter was entitled:

“SAFEGUARDING THE PUBLIC PURSE FROM JUDICIAL FRAUD & LARCENY: Your Constitutional & Statutory Duty to Reject the Entirety of the Judiciary's Proposed Budget for Fiscal Year 2014-2015, Over & Beyond its Concealed, Unitemized Third Phase of the Judicial Salary Increase that Will Otherwise Take Effect, Automatically, on April 1, 2014”

The December 30, 2013 letter was entitled:

“SAFEGUARDING THE PUBLIC PURSE FROM LEGISLATIVE FRAUD & LARCENY: Your Duty to Exclude the Legislature's Proposed Budget from the State Budget for Fiscal Year 2014-2015 Because its Absence of Certified Itemized Estimates Violates Article VII, §1 of the NYS Constitution; Alternatively, to Recommend that the Legislature Reject it, or Alter it Based on Certification of Itemized Estimates”,

Both letters are posted on our website, www.judgewatch.org, via the hyperlink “CJA Leads the Way to NYS Budget Reform...”. Each letter is posted with full evidentiary substantiation on its own webpage. The menu containing those two webpages is here: <http://www.judgewatch.org/web-pages/searching-nys/budget-2014-2015/menu-budget-reform.htm>.

The December 11th and December 30th letters, ignored by Governor Cuomo, should rightfully END his re-election prospects. The consequences to the 200-plus incumbent legislators seeking re-election should be equally dire, should they cover up for the Governor and, likewise, ignore the letters. Do you disagree?

By the way, since the Governor's combined budget bill for the Legislature and Judiciary contains NO dollar totals for its appropriations/reappropriations for each branch, why don't you ask the Governor and all the legislators to tell you what those dollar totals are and to explain the allocations to you, if they can. It's a “slush fund”. For your convenience, here's the Governor's combined budget bill for the Legislature and Judiciary, S.6351/A.8551, as posted, with the rest of the Governor's budget, on its own webpage of our website: <http://www.judgewatch.org/web-pages/searching-nys/budget-2014-2015/Jan-21-gov-budget.htm>

As always, I offer you full assistance, am available to be interviewed, and to answer your questions.

Thank you.

Elena Sassower, Director
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